



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

Outgoing
C0070020
#3587
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October 5, 2010

Kit Pappas, Manager of Environmental and Engineering
Hidden Splendor Resources, Inc.
3266 South 125 West
Price, Utah 84501

Subject: Beaver Creek Protection and Enhancement Plan and Raptor Survey Requirements, Task ID #3587, Hidden Splendor Resources Inc., Horizon Mine, C/007/0020

Dear Mr. Pappas:

The Division received your map for the above-noted permit change on September 30, 2010. Pursuant to R645-303-221, the Division completed the requisite 15-day Initial Review and denies this application for a technical review.

In our letter to you dated August 19, 2010, the Division identified two deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met, and an approval can be granted. A copy of the deficiency list from our August 19, 2010 letter is included as an attachment to this letter. The application received on September 30, 2010 does not address the deficiencies identified for this task, nor were the required C1 and C2 forms included with the submittal.

Please submit the entire application by October 28, 2010 after addressing the deficiencies identified, with the exception of the mining projections. The application must be submitted following Division guidelines, including C1 and C2 forms. If you have any questions please contact Kevin Lundmark at (801)538-5352 or Daron Haddock at (801)538-5325.

Sincerely,

Daron Haddock
Permit Supervisor

DRH/KL/sqs
cc: Price Field Office
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August 19, 2010

Kit Pappas, Manager of Environmental and Engineering
Hidden Splendor Resources Inc.
3266 South 125 West
Price, Utah 84501

Subject: Beaver Creek Protection and Enhancement Plan and Raptor Survey Requirements, Task ID #3587, Hidden Splendor Resources Inc., Horizon Mine, C/007/0020

Dear Mr. Pappas:

The Division has reviewed your application received July 7, 2010 regarding the Protection and Enhancement Plan for Beaver Creek and raptor survey requirements for the Horizon Mine permit area. The Division has determined that there are some deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met, and an approval can be granted. Those deficiencies are listed as an attachment to this letter. Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of Hidden Splendor Resources' response to that particular deficiency.

The Division will not be able to complete its Technical Review of the amendment until the information requested in the attached deficiency list is provided. Therefore, please submit the requested information by September 16, 2010. Please note that additional deficiencies/requirements may be identified after the requested information is received.

The plans as submitted are denied. Please resubmit the entire application after addressing the deficiencies identified. If you have any questions please contact Kevin Lundmark at 801-538-5352 or Daron Haddock at 801-538-5325

Sincerely,

Daron Haddock
Permit Supervisor

DRH/KWLsq
Attachment

cc: Price Field Office

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Deficiency List

Task ID No. 3587

Beaver Creek Protection and Enhancement Plan and Raptor Survey Requirements

Horizon Mine

C/007/0020

The members of the review team include the following individuals:

JO James Owen (801) 538-5306
IC Ingrid Campbell (801) 538-5318

R645-301-525.240, R645-301-525.420: (JO) The Permittee must provide an up-to-date mine map that clearly defines/indicates/includes, but is not limited to:

- a. Underground workings (the size, configuration, and approximate location of mine pillars and entries)
- b. Past Mining Activities & Timing (include location and year that advance & retreat mining took place)
- c. Future Mining Activities & Timing (5 year projection minimum, include location and year that advance & retreat mining is expected to take place)
- d. Locations and timing where past advance & retreat mining have taken place beneath Beaver Creek
- e. Locations and timing where future advance & retreat mining is expected to take place beneath Beaver Creek
- f. Overburden thickness contours, including a 900-foot contour delineating areas where less than 900 feet of overburden exists
- g. Subsidence monitoring stations
- h. Surface elevation contours
- i. Perennial streams, including Beaver Creek
- j. Water monitoring locations

R645-301-332: (IC) An application to modify the MRP must demonstrate that a protection and enhancement plan for Beaver Creek is not necessary because there will be no adverse impacts to fish and wildlife and related environmental values during coal mining and reclamation operations. If the Permittee chooses to demonstrate this, they must clearly show where second mining has occurred under Beaver Creek and explain what, if any, effects it has had on stream flow. This area must also be compared to the proposed area of Beaver Creek to be undermined to show whether or not similar effects can be anticipated.